

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ANDREW H. COHEN,

Defendant.

Adv. Pro. No. 10-04311 (SMB)

**STIPULATION OF DISMISSAL OF
COUNTERCLAIM FILED BY DEFENDANT ANDREW H. COHEN**

IT IS STIPULATED AND AGREED, by and between the undersigned herein, that the counterclaim, filed by defendant Andrew H. Cohen ("Defendant") on June 13, 2011 (ECF No. 10) in the above-captioned proceeding, is hereby dismissed. Pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(ii) and Rule 41(c) of the Federal Rules of Civil Procedure applicable in adversary proceedings), the parties are permitted to voluntarily dismiss Defendant's counterclaim without further order of the court by filing this Stipulation of Dismissal signed by all parties who have appeared.

IT IS FURTHER STIPULATED AND AGREED, that the dismissal of Defendant's counterclaim shall not be deemed to waive Defendant's right to assert any defense to the Plaintiff's claims, including, but not limited to, those pursuant to 11 U.S.C. § 548(c).

This stipulation may be signed by the parties in any number of counterparts, each of which so signed shall be an original, and a signed facsimile, photocopy, or electronic copy of this stipulation shall be deemed an original.

Dated: August 27, 2015
New York, New York

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